



Administrative Policies and Procedures: 21.14

Subject:	Serving the Educational Needs of the Child/Youth
Authority:	TCA 37-1-130; 37-1-131; 37-1-140; 37-5-106; 49-6-3001; Individuals with Disabilities Education Act, 20 U.S.C. Sec.1400 et. Seq.; McKinney-Vento Homeless Education Act of 2001; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794
Standards:	DCS Practice Model Standards: 6-401, 6-404, 6-405, 6-406, 6-407, 6-408 6-400
Application:	All Department of Children Services Employees, Resource Parents, Contract Provider Agencies, All Children/Youth in DCS custody

Policy Statement:

All children/youth of compulsory school attendance age will be enrolled in an educational program with appropriate services in the least restrictive environment. Children under the age of five (5) will receive educational services based on need.

Purpose:

To ensure and promote appropriate and successful educational programming for children/youth.

Procedures:

A. Responsibilities of the Family Service Worker (FSW)	<ol style="list-style-type: none">1. Ensure that the child/youth is enrolled in an appropriate education program based on age and individual needs. Consult with the regional educational specialist for programs that may be specific to the region:<ol style="list-style-type: none">a) Ages birth to five:<ul style="list-style-type: none">♦ Tennessee Early Intervention System (TEIS) -TN Department of Education: For disabled children, ages birth through 3, make a referral to a TEIS regional office. TEIS will develop an Individualized Family Service Plan (IFSP). At age 3, ensure a timely transition to public school special education services. Note: A TEIS referral is required in every CPS investigation that results in a CPS classification of "allegation indicated." (See CPS Policy 14.7, Child Protective Services Transfer and Closure) See the TEIS locator map at www.tennessee.gov/education/speced/TEIS/regional-map.htm♦ Special education services are provided by school systems beginning at age three (3).♦ Early Head Start – Pre natal to age 3 if family is economically qualified. Contact the Head Start agency serving the community, or the Head Start State Collaboration Office at (615) 741-4849 or at: www.tnheadstart.org
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- ◆ **Books from Birth** – One (1) free book per month for children under the age of 5 regardless of income. See the locator map at: www.governorsfoundation.org
- ◆ **Even Start**: An education program for economically qualified families that is designed to improve the academic achievement of young children and their parents, especially in the area of reading. Serves children through age 7. See a list of participating agencies at: www.tennessee.gov/education/evenstart/index.shtml
- ◆ **Pre Kindergarten programs** – Voluntary public school programs serving four year olds. Family must qualify economically. See a participating schools list at www.Tennessee.gov/education/prek/awards.shtml
- ◆ **Tennessee Head Start**: School readiness program for children age four through age five. The family must be economically qualified. See www.tnheadstart.org

b) Ages five to eighteen:

- ◆ **Public School settings**: Excluding youth placed at youth development centers, all children and youth in DCS custody will be educated in local public schools, except for those children/youth that have an identified treatment need that would justify service at a provider agency in-house school or a DCS group home in-house school.
- ◆ **Special Education/Section 504 Services**: If a disability is suspected and the child/youth has not been previously identified, the FSW will make an immediate written referral to the school for an evaluation for special education eligibility. A referral form may be obtained from the school.
- ◆ **Tutoring Services**: If needed, tutoring will first be sought from the school where the child is enrolled. Available community resources must be utilized to reinforce and support the child/youth's appropriate placement. The child's school may provide **after school supplemental educational programs, after school programs (LEAPs), and/or 21st Century Community Learning Centers**. Consult with the regional education specialist for a list of educational services provided by local public school systems
- ◆ **Notification to school principals of certain delinquency adjudications** – Refer to DCS Policy **21.18 Notification to School Principals of Certain Delinquent Adjudications** to report only the following adjudications: First degree murder, second degree murder, rape, aggravated rape, rape of a child, aggravated robbery, especially aggravated robbery, kidnapping, aggravated kidnapping, especially aggravated kidnapping, aggravated assault or felony reckless endangerment. This includes "attempted", "solicitation of" and/or "conspiracy to commit" as an adjudication.
- ◆ **Non traditional educational settings**: Children/youth who are not attending public school are enrolled in other educational settings using the guidelines established in DCS Policy **21.20, Non Traditional Educational Settings**.

2. Monitor and limit changes in a student's educational placement in order to avoid disruptions in the learning process.
3. Enter educational information into TNKIDS as soon as it becomes available.
4. Monitor the student's educational progress by communicating regularly with school personnel and resource parents. Collect information regarding attendance, academics, and behavior.
5. Use the Child and Family Team process to address school issues when a child/youth is:
 - b) Experiencing significant behavioral and/or academic problems;
 - c) Not attending school regularly; and/or
 - d) Transitioning from school to school. Pursuant to TCA 37-1-130, DCS is required to notify the receiving school system as far in advance as possible of the intended placement of students entitled to special education and related services. The CFTM will designate a person to make this notification for appropriate students.
6. The DCS Health Unit may assist in obtaining **in-home wrap around services** for the child/youth and resource family. The goal of the CFTM will be to prevent placement disruption and allow the child/youth to remain in the same school.
7. Ensure the involvement of the birth parents in the child's education.
8. Attend **Individual Education Plan (IEP)** and **Section 504** meetings (or ensure attendance by a supervisor designee) and:
 - a) Include the education specialist as appropriate and necessary.
 - b) Encourage the resource parents to attend. The school has the responsibility to notify and involve the birth parents.
 - c) Ensure that the school appoints a **surrogate parent** if parental rights have been terminated, if the birthparents are unknown, or if the school in conjunction with DCS is unable to locate a parent.
9. Consult with the regional education specialist when:
 - a) Special education/Section 504 concerns arise;
 - b) Significant discipline problems arise or the child has a history of school discipline problems. This would include expulsions, zero tolerance offenses, suspension of ten (10) days or more, and/or truancy issues;
 - c) A child/youth has significant treatment issues that may impact the school day. In a CFTM, the FSW will work with the education specialist, parents, resource parents, surrogate parent, school, and others as necessary to determine education supports and recommendations. The Health Unit staff may be able to identify additional resources;
 - d) There is a delay in the transfer of school records from school to school; or
 - e) School enrollment problems arise.
 - f) A child is transferring from TEIS to special education in public school.

	<p>g) There is required notification to school principals of certain delinquency adjudications. Refer to DCS Policy 21.18, Notification to School Principals of Certain Delinquent Adjudications, to report only the following adjudications:</p> <ul style="list-style-type: none"> ◆ First degree murder, ◆ Second degree murder, ◆ Rape, ◆ Aggravated rape, ◆ Rape of a child, ◆ Aggravated robbery, especially aggravated robbery, kidnapping, ◆ Aggravated kidnapping, especially aggravated kidnapping, ◆ Aggravated assault, or ◆ Felony reckless endangerment. <p>h) This includes “attempted”, “solicitation of” and/or “conspiracy to commit” as an adjudication. This reporting is mandatory and required by law.</p>
B. Responsibilities of the Education Specialist	<ol style="list-style-type: none"> 1. Provide consultation/technical assistance to local DCS staff and contract provider agencies. 2. Provide ongoing in-service training regarding educational issues to DCS Family Service Workers, resource parents, and other staff in his/her region. 3. Provide consultation concerning special education services. 4. Attend Child and Family Team Meetings and IEP meetings as necessary. 5. Assist Family Service Worker with problems regarding school enrollment, school records, discipline and the provision of appropriate educational services.
C. Responsibilities of the DCS Health Unit	<ol style="list-style-type: none"> 1. The Health Unit nurse and/or psychologist will attend IEP meetings when available and deemed appropriate. 2. The DCS TennCare Representative and/or health unit nurse will be available to assist the resource parent, DCS family service worker, provider agency case managers and the education specialist in accessing medically necessary health services (medical or behavioral) identified by the school. If the child/youth is TennCare-Medicaid eligible, all medically necessary services are the responsibility of TennCare under EPSDT.
D. Education Training	<ol style="list-style-type: none"> 1. Family Service Workers and Resource Parents are required to have two (2) hours of in-service training per year regarding education services. 2. Training may be made available through the regional training coordinators and the regional education specialist.

E. Education Plan for children in temporary or emergency placements	<p>If the child/youth is in a temporary, emergency type of placement, it is the Department's expectation that the child/youth remain in his former school if doing so is in the child's best interest. The local school system is obligated to provide transportation for children falling within the <i>McKinney-Vento Homeless Act of 2001</i>. The DCS Family Service Worker, in consultation with any involved agency case manager, will:</p> <ol style="list-style-type: none">1. Advocate for enrollment, transportation (if needed) and other services under McKinney-Vento for those DCS children who are McKinney-Vento eligible.2. Utilize the public school system's McKinney-Vento liaison.3. Seek help from the regional education specialist or DCS attorney if needed.4. Collaborate with school systems and contract providers regarding transportation to ease the burden on the involved school system(s) where feasible.5. In the event of a dispute with the school, request that the resource parent transport the child back and forth to the child's school until his/her placement is made in a more permanent setting. If the resource parent is unable for legitimate reasons to transport the student, DCS will provide an alternative.
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Forms:	None
Collateral documents:	<i>DCS Education Work Plan</i>